

## Coast Guard, DOT

## § 164.02

length to five vessels, including the towing vessel or vessels.

[CGFR 60-61, 25 FR 9045, Sept. 21, 1960. Redesignated by CGD 81-017, 46 FR 28154, May 26, 1981]

### § 163.20 Bunching of tows.

(a) In all cases where tows can be bunched, it should be done.

(b) Tows navigating in the North and East Rivers of New York must be bunched above a line drawn between Robbins Reef Light and Owls Head, Brooklyn, but the quarantine anchorage and the north entrance to Ambrose Channel shall be avoided in the process of bunching tows.

(c) Tows must be bunched above the mouth of the Schuylkill River, Pa.

[CGFR 60-61, 25 FR 9045, Sept. 21, 1960, as amended by CGFR 64-21, 29 FR 5733, Apr. 30, 1964. Redesignated by CGD 81-017, 46 FR 28154, May 26, 1981]

## PART 164—NAVIGATION SAFETY REGULATIONS

Sec.

164.01 Applicability.

164.02 Applicability exception for foreign vessels.

164.03 Incorporation by reference.

164.11 Navigation under way: General.

164.13 Navigation underway: tankers.

164.15 Navigation bridge visibility.

164.19 Requirements for vessels at anchor.

164.25 Tests before entering or getting underway.

164.30 Charts, publications, and equipment: General.

164.33 Charts and publications.

164.35 Equipment: All vessels.

164.37 Equipment: Vessels of 10,000 gross tons or more.

164.38 Automatic radar plotting aids (ARPA).

164.39 Steering gear: Foreign tankers.

164.40 Devices to indicate speed and distance.

164.41 Electronic position fixing devices.

164.42 Rate of turn indicator.

164.43 Automatic Identification System Shipborne Equipment.

164.51 Deviations from rules: Emergency.

164.53 Deviations from rules and reporting: Non-operating equipment.

164.55 Deviations from rules: Continuing operation or period of time.

164.61 Marine casualty reporting and record retention.

164.70 Definitions.

164.72 Navigational-safety equipment, charts or maps, and publications required on towing vessels.

164.74 Towline and terminal gear for towing astern.

164.76 Towline and terminal gear for towing alongside and pushing ahead.

164.78 Navigation under way: Towing vessels.

164.80 Tests and inspections.

164.82 Maintenance, failure, and reporting.

AUTHORITY: 33 U.S.C. 1223, 1231; 46 U.S.C. 2103, 3703; 49 CFR 1.46. Sec. 164.13 also issued under 46 U.S.C. 8502. Sec. 164.61 also issued under 46 U.S.C. 6101.

### § 164.01 Applicability.

(a) This part (except as specifically limited herein) applies to each self-propelled vessel of 1600 or more gross tons (except foreign vessels described in § 164.02) when it is operating in the navigable waters of the United States except the St. Lawrence Seaway.

(b) Sections 164.70 through 164.82 of this part apply to each towing vessel of 12 meters (39.4 feet) or more in length operating in the navigable waters of the United States other than the St. Lawrence Seaway; except that a towing vessel is exempt from the requirements of § 164.72 if it is—

(1) Used solely within a limited geographic area, such as a fleet area for barges or a commercial facility, and used solely for restricted service, such as making up or breaking up larger tows;

(2) Used solely for assistance towing as defined by 46 CFR 10.103;

(3) Used solely for pollution response; or

(4) Any other vessel exempted by the Captain of the Port (COTP). The COTP, upon written request, may, in writing, exempt a vessel from § 164.72 for a specified route if he or she decides that exempting it would not allow its unsafe navigation under anticipated conditions.

[CGD 83-004, 49 FR 43466, Oct. 29, 1984, as amended by CGD 94-020, 61 FR 35072, July 3, 1996]

### § 164.02 Applicability exception for foreign vessels.

(a) This part (including §§ 164.38 and 164.39) does not apply to vessels that:

§ 164.03

33 CFR Ch. I (7–1–99 Edition)

(1) Are not destined for, or departing from, a port or place subject to the jurisdiction of the United States; and

(2) Are in:

(i) Innocent passage through the territorial sea of the United States; or

(ii) Transit through navigable waters of the United States which form a part of an international strait.

[CGD 77-063, 44 FR 66530, Nov. 19, 1979, as amended by CGD 79-148, 45 FR 54039, Aug. 14, 1980]

**§ 164.03 Incorporation by reference.**

(a) Certain material is incorporated by reference into this part with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in paragraph (b) of this section, the Coast Guard must publish notice of change in the FEDERAL REGISTER and the material must be available to the public. All approved material is on file at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC, and at the Office of Vessel Traffic Management (G-MOV), Coast Guard Headquarters, 2100 Second Street, SW., Washington, DC 20593-0001 and is available from the sources indicated in paragraph (b) of this section.

(b) The materials approved for incorporation by reference in this part and the sections affected are as follows:

<i>American Petroleum Institute (API)</i> , 1220 L Street NW., Washington, DC 20005 API Specification 9A, Specification for Wire Rope, Section 3, Properties and Tests for Wire and Wire Rope, May 28, 1984 .....	164.74
<i>American Society for Testing and Materials (ASTM)</i> , 1916 Race Street, Philadelphia, PA 19103 ASTM D4268-93, Standard Test Method for Testing Fiber Ropes <i>Cordage Institute</i> , 350 Lincoln Street, Hingham, MA 02043 CIA-3, Standard Test Methods for Fiber Rope Including Standard Terminations, Revised, June 1980 .....	164.74
<i>International Maritime Organization (IMO)</i> , 4 Albert Embankment, London SE1 7SR, U.K. IMO Resolution A342(IX), Recommendation on Performance Standards for Automatic Pilots, adopted November 12, 1975	164.13

<i>International Telecommunication Union Radiocommunication Bureau (ITU-R)</i> , Place de Nations CH-1211 Geneva 20 Switzerland (1) ITU-R Recommendation M.821, Optional Expansion of the Digital Selective-Calling System for Use in the Maritime Mobile Service, 1992 .....	164.43
(2) ITU-R Recommendation M.825, Characteristics of a Transponder System Using Digital Selective-Calling Techniques for Use with Vessel Traffic Services and Ship-to-Ship Identification, 1992 .....	164.43
<i>Radio Technical Commission for Maritime Services</i> , 655 Fifteenth Street, NW., Suite 300, Washington, DC 20005 (1) RTCM Paper 12-78/DO-100, Minimum Performance Standards, Loran C Receiving Equipment, 1977 .....	164.41
(2) RTCM Paper 194-93/SC104-STD, RTCM Recommended Standards for Differential NAVSTAR GPS Service, Version 2.1, 1994 .....	164.43
(3) RTCM Paper 71-95/SC112-STD, RTCM Recommended Standards for Marine Radar Equipment Installed on Ships of Less Than 300 Tons Gross Tonnage, Version 1.1, October 10, 1995 .....	164.72
(4) RTCM Paper 191-93/SC112-X, RTCM Recommended Standards for Maritime Radar Equipment Installed on Ships of 300 Tons Gross Tonnage and Upwards, Version 1.2, December 20, 1993 .....	164.72

[CGD 91-203, 58 FR 27632, May 10, 1993, as amended by CGD 83-043, 60 FR 24771, May 10, 1995; CGD 93-022, 60 FR 51734, Oct. 3, 1995; CGD 96-026, 61 FR 33669, June 28, 1996; CGD 94-020, 61 FR 35072, July 3, 1996]

**§ 164.11 Navigation under way: General.**

The owner, master, or person in charge of each vessel underway shall ensure that:

- (a) The wheelhouse is constantly manned by persons who:
  - (1) Direct and control the movement of the vessel; and
  - (2) Fix the vessel's position;
- (b) Each person performing a duty described in paragraph (a) of this section is competent to perform that duty;
- (c) The position of the vessel at each fix is plotted on a chart of the area and